knowledge, and by my authority, as part | Such ill-considered and impracticable he continued in charge when the military CIV keeping military records in the War Department, and was intended to be in harmony with the efforts now being made by the President, through the President's commission on economy and efficiency, in the direction of simplification and reform.

The recommendations to which you in the time of the disaster at Ford's Theater that memorandum thus referred had been the subject of the futility of calling upon of the adjutant general's department was merged into the adjutant general's department in March, 1907. He is a strict disciplinarian and keeps the employes of his office up to a high state of efficiency.

The recommendations to which you in the time of the disaster at Ford's Theater that memorandum thus referred had been the subject of the first into the disaster at Ford's Theater that memorandum thus referred had been the subject of the futility of calling upon of the army generally for an expensive pression of their views with regard to pression of the recommendations to which you in the time of the disaster at Ford's Theater that memorandum thus referred had been the subject of the disaster at Ford's Theater that memorandum thus referred had been the subject of the

The memorandum recited on its face that it was given to you by my direction, to the chief of staff February 9 a memorandum dated February 3. In this paper you impugn the fairness and intelligence of the Secretary of War, under tion was submitted to you. You also the following language: criticise and impugn the military capacity whose plan you were directed to discuss.

Quotes From His Letter.

Thus, in response to my direction that

"In compliance with the second part of the accompanying call, the following Action 'Must Be Deemed Deliberate.' statement is submitted, although it is recognized that it will be difficult if not impossible to formulate any statement that will carry conviction to any one who length of time consumed in the prep- organization program. is so unmindful of consequences or so uninformed as to the needs of the government and the public with regard to the matter in question as seriously to propose to abolish one of the most important, if breaks evidencing such intolerance of not the most important, of all the records

of the War Department. However, the statement is submitted other, if not wiser, counsels shall prevail, and after experience with the ness in your present office.

cember 31 'muster and pay rolls,' en- tial to the maintenance of discipline. ment of the government in its management of the affairs of the nation."

Their Judgment Impugned.

"The proponents of the truly remarkable plan now under discussion have betrayed a lamentable lack of knowledge of the nature and uses of our so-called descriptive list, of which it is proposed that there shall be made but a single copy, which shall follow the soldier throughout his entire enlistment. If they had had, or had profited by, even a little service as company commanders in recent years they would have learned that our descripcord and the only approach to a complete

"The cool assurance with which it i asserted in the memorandum that 'it could not be obtained, 'such as a complete record of extra duty, special duty, detached service, etc.,' evidences such ignorance of the vital bearing that many of the data so lightly spoken of, but which, if lost, could never be supplied from any record source, have upon a of pension and other claims that it would be a loss of time and effort to discuss the subject further here." There are other grave objections to but if those that have been pointed out are not sufficient to carry to the minds of those with whom the decision of this matter new rests the conviction not only that the proposed plan is both illegal and impracticable, but that it is most inadvisable ever to intrust to incompetent that is of nation-wide importance, and that can only be managed prudently, safely and efficiently by those whom long service has made experts with regard to it, then it will be worse than useless to present further facts or arguments

Insubordination and Impropriety. This is not an isolated instance of insubordination and impropriety on your of such an outburst. On the 5th of Sepwhich you, by insinuation, the chief of staff with improper 'Col. Murray and Maj. Duga nwere so infortunate as to be compelled not long ago to appear before the committee on military affairs of the House or Repreto a bill that proposed to increase the en-In response to questions addressed to them by the committee they expressed views that were at variance same committee by the chief of staff. Considerable publicity, for which Col Murray and Maj. Dugan were in no wise responsible, was given by the press to knowing or not believing that the chief of staff is too high-minded and conscien-

tious to permit his official action to be influenced by such a matter, will be swift to conclude, if these two officers are rebecause they gave testimony that may be regarded as damaging to his own, and that the solicitude now manifested in behalf of a few superfluous colonels, with for a movement whose object is to annov or humiliate certain officers connected credit the management of that service

is believed to be the part public at large or the army any ground upon which to base it, at least at the

Warned in September.

duct in submitting that memorandum,

"I only wish to add that I greatly several lieutenant generals, including islands that this spread of athletic sports regret and reprobate certain passages Gen. Miles, Gen. Bates, Gen. Young, foretells. Ten years from now the Filiof your memorandum and of the letter which you sent me. Nothing is gained by suspecting or intimating ulterior motives on the part of those with whom we have to act in association. In an organization as large and complex as the War Department, it is impossible that every action taken shall seem the wisest possible to all of the members of | that department. Many orders must be adjutant general's department, with the given and steps taken which, to some rank of major general, and is now the bureau or some individual, seem ill- second ranking officer in the army. Mai. advised and unfortunate. But in such cases, and in all cases, the President is only senior. He entered the army as has a right to expect that all of the officers of the department will act as a unit, with faith in each others after began service at the War Departmotives, even if they differ as to judgments. In no other way can the morale of the army or its organization be maintained for a moment

"Offenses Become Habitual."

curred under other administrations of the War Department and concerning other officers than those of the general staff. I find that March 25, 1911, in a memorandum rendered by you relative to cer-tain recommendations that had been made by various officers of the army directed toward the end of reducing unnecessary paper work in the administration of the military organization you used the folfowing language: 'All these recommendations are disapproved, with a few relatively unimportant exceptions hereinafter noted. Almost all of them show on the part of those making them a deplorable ignorance of or indifference to the require-ments of law with regard to the rendi-

made by sixteen officers of the army of experience and ability, including three ened with personal violence. It was then department commanders and the superintendent of the Military Academy. October 16, 1909, in speaking of another general officer in the War Department, the head of one of its most important whose authority the proposition in ques- | bureaus, you used in an official document "Life is too short to permit of wasting

and experience, the intelligence and fair-mindedness, and, finally, question the honor and good faith of the officers of the general staff and the War College, advocate such a proposition seriously. A garded as remarkable if advanced by a worth had been relieved from duty unstate militiaman, and it is simply amazing when put forward by an officer of the you submit your opinion upon a proposi- regular army, even though his connection tion, the ultimate decision as to which with the military side of that establishment be so remote as to be merely nomi-

"Your present action, which, because aration of your present memorandum, must be deemed deliberate, is therefore but the culmination of a series of outsubordination and such readiness impugn either the motives or the intelligence of those with whom it is in the confident expectation that when your duty to work in association, as, if uncorrected, to destroy your usefulproposed plan or any similar plan shall It is impossible that the business of the have shown the inevitable evil effects government shall be properly conducted thereof, this statement will receive the if official communications are made the consideration that may not be given to occasion for contemptuous comments and aspersions upon fellow-officers and for in-You say further, after quoting article solence to superiors. Under such circum stances self-respect would forbid that co-12 of the Articles of War:

"It is proposed in the accompanying operation which is necessary to effective operation."

This is a specially the operation of the control of memorandum of the chief of staff to service. This is especially true in the evade this requirement of law by call- military service, where due subordination ing the pay rolls of June 30 and De- and respect to supeiror officers is essentering thereon the data required by As I am myself apparently included in article 12, yet maintaining the monthly your latest attack I have preferred to eeremony of muster. But the adoption deem myself disqualified from judicial of this proposal could hardly fall to be action therein and have laid the matter regarded generally as a mere subter- before the President as commander-infuge of a kind that would be scorned chief. He directs that, pending considerby honorable men in any of the rela- ation of the disciplinary measures to be tions of private life, and that would be taken, you be forthwith relieved from most discreditable to a great depart- duty in your present office. You will therefore, upon receipt of this order. stand relieved of your duties in the office of the adjutant general, and will await further orders in this city. Col. H. P. McCain, adjutant general, has been directed to assume the duties surrendered

HENRY L. STIMSON. Secretary of War Maj. Gen. Fred C. Ainsworth, The Adjutant General, U.S. Army, Washington, D. C.

Orders to Col. McCain. The orders to Col. H. P. McCain are short, but comprehensive. They state torney for Mr. Schiff, a police inspector tive list is primarily an organization recthat Maj. Gen. F. C. Ainsworth, the ad- and an unknown man held a conference ant general, has been relieved from three days before Brandt was sentenced. duty in the adjutant general's office of the War Department. They then recite: "Under the provisions of sections 178 he desired on Brandt for submission to and 179, Revised Statutes, and of section Judge Rosalsky would make no difference' if other data 1132. Revised Statutes, as amended by the act of February 27, 1877 (19 Stat., 242), the President directs that you assume charge of the adjutant general's office, War De- ably begin here next Monday. It is said partment, and perform the duties of chief that Justice Gerard will delay his reof that office until further orders.'

Army Officers Amazed

Although a rupture between the general table in view of the extremely bitter reorganization scheme reported from the House committee on military affairs in connection with the pending army appropriation bill, today's action of the Secretary of War, or rather that of the President, for the Secretary states that he acts by the direction of his superior. was received with stupefaction by the cussed. large number of army officers on duty in the War Department. Although Gen. Ainsworth has repeatedly denied responsibility or authorship for the legislation reported from the military committee, which was so was believed that he at least was furnishing the ammunition for the congressional opponents of the War Department's policies, in proof of which it was pointed out that Chairman Hay was in possession of much information that must have emanated from the adjutant general's office.

Still, in spite of the ibtterness of that controversy it was the common belief that the administration would scarcely care to remove Gen. Ainsworth while Congress was in session, and the army appropriation bill with its mass of legislation so deeply affecting the organi zation of the army was pending, lest it sentatives for examination with regard lead to a fierce struggle with the dominant party in the House. It was also listment period of the army to five thought that at the worst Gen. Ainsworth would only be detached from his office in Washington and assigned to expressed views that were at variance some duty elsewhere; possibly in the with views subsequently expressed to the Philippines or in general inspection

First Time in History. lieved or superseded now, that the chief case was that of Commissary Gen. Egan. is endeavoring to punish them who so bitterly assailed Lieut. Gen. Miles that poisonous canned beef served to the army in Cuba. tried by court-martial on the charge of none manifested in behalf of superfluous insubordination and conduct unbecoming an officer and a gentleman. He was found guilty and dismissal, but that sentence was comwith the recruiting service, and to dis- muted to six years' suspension. A preceding case, which was famous in military judicial records, was that of Judge "Of course, any such conclusion as Advocate General Swain, who was that referred to here would be erron- charged with grave financial irregularities and was also convicted after two of wisdom not to give Congress, the trials and sentenced to a long period of

court-martial in the near future. While the charges have not yet been framed. it is understood that they will be based on conduct to the prejudice of good order and discipline and insubordination. from Huntington, L. I., a personal let- Owing to Gen. Ainsworth's high rank it may be difficult to secure superior officers to sit in judgment on his case. That can be done only by recourse to the retired list. In that category there are

Gen. Chaffee and Gen MacArthur. Has Had Remarkable Career.

Gen. Ainsworth has had a military career that is both unique and successful to and deeper capacity in every sphere of a remarkable degree. Born in Woodstock, activity. Vt., September 11, 1852, and educated as physician, he rose to the head of the Gen. Leonard Wood, chief of staff, being

He did remarkably successful work clearing up the arrearages in the work of the surgeon general's office affecting pension cases, and instituted a system by which all calls for the medical histories In considering whether these offenses of soldiers could be answered without deagainst propriety on your part are mere- ly 7000 000 index records are contained on near-7,000,000 index record cards filed in the ly exceptional cases of rudeness and ill adjutant general's office, and are so contemper. I find that they have become venient to reach that it is said that twenhabitual on your part and have oc- ty clerks do much more work than could formerly be performed by 280 clerks to enable the superintendent to make employed in the same class of research. Similar reforms were introduced by Gen. Ainsworth in arranging 400.000 volunteer muster rolls and 100,-000 record books. For his work in that connection Gen. Ainsworth was pro-moted to the rank of colonel by direct cut nearly 20 per cent without sacrificing act of Congress and placed in supreme control of the record and pension office in May, 1892. In 1899 Col. Ainsworth was again promoted to be brigadier general, and placed in charge of the publication of the official war records.

A Strict Disciplinarian.

When the office of the military secre-

recommendations afford convincing secretary's department was merged into

charged by some that he was partly re-sponsible for the poor and hurried char-acter of the work being performed on the building, which resulted in its collapse and the sacrifice of many lives. An investigation lasting many weeks cleared him, however, of that responsibility.

Representative Hay Surpirsed. Representative Hay of Virginia, chairman of the House committee on military affairs, appeared somewhat surprised this proposition of this kind would be re- afternoon when informed that Gen. Ains-

"I did not know a thing about this, and consequently can't express an opinion on it just now," said Mr. Hay. It was suggested to Mr. Hay that one f the specifications against Gen. Ainsworth in connection with the charge of insubordination probably would be that he reflected upon his superior officers in of the prior warning received and the writing a report on the Hay army re-

"They can't substantlate that charge," said Mr. Hay.

PROBING THE MYSTERY IN BRANDT'S SENTENCE

Indictments for Conspiracy Confidently Expected by District Attorney Whitman.

NEW YORK, February 15 .- Indictments for conspiracy are confidently expected by District Attorney Whitman, who, with the grand jury, made further investigation today to deterwhether improper influences were used to send Folke E. Brandt away for a long prison term on a charge of first degree burglary. The prosecutor says he will continue the investigation even though the former valet of Mortimer L. Schiff, the banker, is pardoned by Gov. Dix. Following the testimony of former Detective Lieut. Wooldridge before the grand jury that he had been ordered to get up a report on Brandt's character, that certain matters concerning the valet were placed in his hands and that he made

wrote a letter to the central office outlining the character of the report that Hearings by Commissioner Hand

SEES ROOSEVELT; IS SILENT.

Senator Clapp Has Long Conference With Former President. NEW YORK, February 15 .- Senator

Moses E. Clapp had a long conference with Col. Roosevelt here today. Senator Clapp escaped the reporters at the conclusion of the interview, and Col. Roosevelt declined to say what had been dis-

"I have nothing to say on any subject," Col. Roosevelt said. He denied, however, a report that William Loeb, jr., formerly his private secretary, would manage his political campaign. When asked if he would make a campaign, the former President replied: "I have noth-

Building Permits Issued. The following building permits were

issued today: To H. R. Howenstein, to build fourteen two-story brick dwellings-one at 1316 Pennsylvania avenue southeast, three at east and ten from 1318 to 1336 G street into custody by the federal authorities southeast; architect and builder, H. R. in other cities. Howenstein; estimated cost, \$25,250.

Filipinos and American Sports. rom the Manila Cable-News American.

One of the marvels of the American oc cupation of the Philippines is the avidity with which the Filipinos of the younger generation have taken hold of athletic sports. Frequent reference has been made vorite sport and the corresponding decrease in the attendance of a certain class of Filipines upon the cockpits.

Nor is this enthusiasm for base ball confined to the pupils of the schools or the employes of those companies and institutions such as the Manila Electric Railroad and Light Company and the va- SMITHS POINT LIGHT rious bureaus of the government, but even the muchaches and house boys take to the sport with astonishing readiness and cleverness.

But base ball is not the only sport by any means that has advanced in Filipino favor by leaps and bounds within the last few years. Volley ball and basket bull and tennis have each become great favorites. It is said that one of the local business houses handling sporting goods recently received a letter from a New York exporting house saying that the one Manila firm had sold more volley balls than had been disposed of in all of New York. This incident testifies to the amazing rapidity with which the game of volley bal, has swept over the archipelago from one end to the other. Moreover, the Filipinos are playing the game well. It is superfluous to call attention to the great change in the vital statistics of the pino physique will have undergone a transformation that will astonish the wor.d. At the same time it is but reasonable to expect that the increased physical ability will carry with it a broader

Preventing Waste of Supplies.

In one manufacturing plant, the superintendent found that his men were careless with supplies. He decided that too ter to throw away slightly damaged or spoiled work and begin on a new piece than to take precautions in turning out their work. He, therefore, dev.sed a stores of er which made every foreman responsible for raw material issued to his department. New material could not be had from the general store except on requisition and the general store would honor no requisition unless it was O. K.'d. by the foreman. These lists were kept on file and totaled at the end of each month comparisons. This put the foreman on his guard not

the to fill out a requisition for something which he did not absolutely need, and the first six months after adopting this rule,

Gabriel Smith, ninety-two years old, a veteran of the Mexican and civil wars, died last night at his home, in Luray, Va. He was a giant in size and strength thents of law with regard to the rendi-tion of these returns and rolls and the Ainsworth was placed at its head with of the Mexican war. He was the oldest purposes for which they are rendered, the advanced rank of major general and citizen of Lursy.

ESCAPE ARREST YUAN SHI KAI ELECTED Forty-Eight of 54 Indicted

Men Now in Custody.

ABLE TO GET BAIL

Ironworkers' Union Has Not Funds Required in Aggregate.

YOUNG SURRENDERS AT BOSTON

Some of Missing Men Said to Have Dropped Out of Sight Years Ago.

INDIANAPOLIS, Ind., February 15 .-Official reports received by the government today showed that only six out of the fifty-four men indicted in the dynamite conspiracy had not been arrested. Those not arrested or in custody, according to government's advices, are J. McCray, formerly an ironworker of heeling, W. V., but said to have left there; J. W. Irwin, Peoria, Ill., local mion official; Frank K. Painter, Omaha, Neb., local union official, said to have left there; Milton H. Davis, Philadelphia, former member executive board; Patrick Ryan, Chicago, local business agent, and William K. Benson, Detroit, former president of the Detroit Federation of La-

Appeals came to President Ryan from many points today asking the Iron Workers' International Union to assist the indicted men in securing bond and thus prevent them from going to jail Some of the appeals were said to have ome from those who had escaped servng of warrants for their arrest, and who were endeavoring to be assured that they would not have to go to jail.

Union Unable to Furnish Bond. To the appeals generally the iron

workers' officials replied that the union was in no position to furnish bonds, as the aggregate of \$340,000 required for all the men made it impossible. That a great majority of the indict ments were based on evidence taken by the government from the iron workers international offices here District Attorney Miller said. The evidence thus secured, he said, was correspondence from local unions, in which reference to places that were blown up was made. no practical investigation, but signed a report as a matter of office routine, the public prosecutor has heard that an at-

Young Surrenders at Boston.

BOSTON, February 15.-Michael Young, business agent for the Boston of Bridge and Structural Iron Workers, determine whether the facts in the case the indictment found against him in the dynamite case. He was held in \$10,000 bail for a hearing next Saturday. Bail was not furnished, but as counsel who port in the habeas corpus matter until accompanied Young said he expected sioner Hand reports to Gov. Dix. bondsmen to appear, the prisoner was renanded to the custody of the marshal. Frank J. Higgins of Boston, who was arrested yesterday in connection with the wnamiting cases and who failed to obtain bail, was brought before United States Commissioner Hayes today on the ques-tion of a reduction in the \$5,000 bail.

Not in Peoria for Years.

to Edward Smythe, the Peoria labor leader, arrested yesterday for complicity in the dynamiting case, neither J. W. Irwin nor Frank Painter has been here for years. Irwin worked here five or six years ago, went from here to Normal, where he suffered a fractured skull in a fall, and, according to Smythe, is now somewhere in an asylum.

PHILADELPHIA. February 15 .- Milton H. Davis, under indictment at Indianapolis in connection with the dynamite conspiracy cases, has not yet beer apprehended by the federal authorities in this city. He is said to have left Philadelphia in 1906. Labor men say he quit the labor movement and entered business, but they do not recall in what part of the country he settled. fled today to arrest any of the seven missing men indicted in the dynamite conspiracy who have not yet been taken

Expect to Furnish Bail. NEW YORK, February 15 .- Frank C Webb, Patrick F. Farrell and Daniel no knowledge of the crimes charged. The three prisoners probably will waive extradition and go voluntarily to Indianapolis.
"I lived in Indianapolis and worked for

corner saloons, but went to work." NOT PARTLY WRECKED

Reports of Peril to Two Revenue Cutters Are Also Contradicted.

WARSAW, Va., February 15 .- Smiths Point lighthouse at the mouth of the Potomac river has been partly wrecked and carried away by the ice jammed about it. Two revenue cutters lying alongside the light are in danger. No mail has been received here for ten days. Ice conditions have become seri- From the Tablet.

According to reports made today to Capt. Commandant Ellsworth Bertholf treasures, for Mr. George Pouling has of the United States revenue cutter presented to the holy lather the only service, there is no foundation for re- complete copy in the whole western world wagon. ports that the Smith Point lighthouse of the Scriptures of Tibet. It is a bulky at the mouth of the Potomac river present, weighing half a ton and comwas partly carried away in the ice prising over a hundred volumes, and it fams on the Chesapeake bay, with two has an interesting history. In 1731 the From Harper's Bazar.

thorities today and was told that al- this Tibetan has held pre-eminence for ideal. It must be beautiful, harmonious, scious before the signal is given it is though the bay is heavily blocked with the purity of its text and for its rare-ice which makes navigation impossible, ness, for until recently only the great the lighthouse has suffered no mishop and that reports to that effect were complete copy, and this is regarded as a sign track of the desired number o

to his possibilities.

The following comprise two novel demands received today: Valdosta, Ga. "Mr. Poast Ofice General: 'Dear S'r:

y regested mail. Send money at once. v all charges in Washington. The money was not sent.

PRESIDENT OF CHINA

National Assembly Decides on Nanking as Provisional Capital of Republic.



NANKING, China, February 15 .- The national assembly this afternoon unanlmously elected Yuan-Shi-Kai president of the republic, and then decided that the provisional capital shall be

Nanking. Dr. Sun Yat Sen's resignation of the presidency of the Chinese republic has been accepted by the national assemblage here on condition that both he and the present cabinet hold office until the new president and cabinet take over the duties. The election of ministers is to take place this afternoon.

Letter of Dr. Sun.

In the letter to the assembly in which "Yuan Shi Kai has declared that he adheres unconditionally to the national cause. He would surely prove a loyal servant of the state. Besides this, Yuan shi Kai is a man of constructive ability upon whom our united nation looks with the hope that he will bring about the consolidation of its interests. The happiness of our country depends upon your choice. Farewell.'

The national assembly afterward passed a resolution paying great tribute to Dr. Sun, as follows: "Such an example of purity of purpose and self-sacrifice is unparalleled in history. It was solely due to his magnanimity and modesty that northern China

PEORIA, III., February 15.—According to Edward Smythe, the Peoria labor lead-**FUR MATTIE LOMAX**

Mother Is "Mammy" Prominent Family.

An old-time black "mammy" of the south is wielding a powerful influence to sentence was recently respited until the last of May.

Senator Swanson of Virginia dropped n the White House today to tell President Taft that it would be an outrage "I know something about this case."

loved in the south. The Edmunds and other prominent families in that section een wiring and writing me to have the Virginia senators and representatives use every influence to save Mattie Lomax. and this we have been doing. I have the union," said Brophy, "but when I been investigating this case fully. This came back I did not own race horses or poor girl came to Washington to hunt work. Lomax, brute at heart and by nature, ruined her life, and she is a physical

> Appeals From Virginia. Prominent Virginia white people

have sent hundreds of letters in behalf of Mattie Lomax to the Attorney Gen-At a reception to be tendered Representative Caleb Powers of Kentucky and Rev. Simon P. W. Drew, pastor of the Cosmopolitan Baptist Church, Fri day evening, March 22, it is announced loving cups will be presented to Mr. Powers and Rev. Dr. Drew in recognition of their efforts in behalf of Mat-

Tibetan Scriptures in the Vatican.

will deliver short addresses.

quired a new and precious addition to its the morning of the assault.

Dear S'r:

"Please send me one thousand dollars (the degrees of perfection, etc., of various pregested mail. Send money at once. Buddhas). 4, The Jewel Peak (enumeration of the qualities of Sakyamuni). Aphorisms (270 treatises on moral an A resident of Wilkinsburg, Pa., has "a scheme to print a newspaper on a postal card," and would like to know whether it would be unlawful to do so. He asks "if the paper should I proceed?"

Aphiorisms (2/0) treatises on moral and newspaper and postal sciences, lives of saints, charms, verses, card, and would like to know whether it would be registered, how should I proceed?"

Aphiorisms (2/0) treatises on moral and newspaper and postal sciences, lives of saints, charms, verses, sciences, lives of saints, charms, verses, sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, sciences, lives of saints, charms, verses, stone, Md., was destroyed by fire, with sciences, lives of saints, charms, verses, lives of saints, charms, verses, sciences, lives of saints, charms, verses, li

HINT THIRD DEGREE

Illegal Methods Said to Have Been Used on James Smith.

COUNSEL MAY TAKE ACTION

Developments at Trial Today Indicate Police Will Be Put on Grill.

WITH BLOODSTAINS PANTS Policeman Strobel Offers Them as

Evidence-Witnesses Tell of Seeing Prisoner.

That the "third degree," said to have been worked on James Smith at the ninth police precinct station during the long hours of his confinement there, after he had been arrested in connection with the Bennet assault, will be attacked as an unwarranted and unconstitutional procedure was the broad hint given during Smith's trial before Justice Anderson today. While Policeman Charles Strobel was telling the jury how he had arrested

stains on Smith's clothes, Smith's trousers were offered in evidence. Claude Owen, one of Smith's counsel, jumped to his feet: "Before these pants are offered as evidence, I want to know how they were obtained from Smith. It may be

Smith, and how he had found blood

they were taken from him in direct violation of the Constitution of the United States." For a few seconds James Smith's pants and the constitutional rights of a prisoner locked up in the office of a police captain were the subject of legal repartee, but Policeman Strobel was allowed

Witness Causes Laughter.

to continue. However, George C. Shinn,

of counsel for Smith, went into the

"third degree" matter very closely with

The prosecution today produced string of witnesses, all of whom said they saw ames Smith on the road very near the scene of the assault on the morning it occurred. oJhn C. Cousins, colored, of 54th and B streets, made a clear-cut statement for the prosecution, and caused loud laughter from several in the courtroom when he said: "I saw Smith flyin' through dem lookin' jes' like he skeered to death.' Attorney Shinn asked Cousins what sort of a vest Smith had on, and Cousins re-

"He was goin' too fast to notice." Mrs. Fannie Remore, who keeps a shop in Prince Georges county near the place where Smith lived at Cedar Heights. stood up in the witness stand and gave an imitation of how Smith pailed a dollar bill from his trousers pocket. It was at her store that Smith bought smoking tobacco after the Bennet assault. She caused a storm of objections when he said "he pulled the dollar from his pocket like he was pulling it from a roll of bills." Previously the prosecution had rought out the fact that Smith was supposed to have been penniless before the Bennet assault and robbery. "He had such a queer look about him."

and called a man in from the back room of the store to change the bill."

continued Mrs. Remore, that I was afraid

Say Smith Arose Early. John Walker, Cleveland Walker, Mrs. John Walker and Lawrence Britt, all of whom lived under the same roof with Smith, did their best to connect Smith with the assault. They all said Condemned Woman's that Smith had wanted to learn to play stud poker the night before the "as-"because he had something on his mind and wanted to get it off," and they all declared he got up early on the morning of the assault, and Cleveland Walker said he saw Smith at 61st and C streets that morning. Policeman Strobel's story of how h ook Smith to Casualty Hospital to see Bennet, who was in bandages, was listened to with interest: "He was handcuffed to me, and when we got near the room where Bennet max, the colored woman under sentence lay Smith collapsed. He sank down and of death in the District jail, and whose I had to have some one help me hold up. Perspiration streamed upon his face and he was very weak. like that, and when the doctors gave him whisky to brace him up he begged them to give him poison. I thought it was a good time to ask him if he was sorry he did it, but he wouldn't answer.

the job and he answered, "No one."

Then I asked him who helped him with

Couldn't Help Bennet. he saw Bennet on the road after the assault. He had the opportunity to play the part of good Samaritan, but didn't. "I looked in the wagon and saw a man all beaten up and covered with blood," he said, "and he looked to me like he was dead, so I said to myself, 'I can't do that fellow any good,' and went on." Others who testified that they saw either Smith or Bennet, or both, on the morning of the assault were Walter Walker of 2633 O street, William Boswell. Capitol Heights; Policeman Charles tuted, and is prepared as follows: First a and a powerful microscope through C. Parker, Policeman Trumbe; Bernard G. Goldstein, 801 21st street northwest, and John Weast of Capitol Heights.

Physician Describes Injuries.

Dr. Henry W. Jaeger, resident physician at Casualty Hospital, was on the stand for half an hour yesterday afternoon outlining in detail to the jury just what the hatchet blows had done to Mortie Lomax. A number of speakers, both white and colored, including many like a surgical lecture, and it took the octor nearly five minutes to recite the bare list of fractures, giving them their of the pastors of Washington churches correct anatomical names and the efect they had on Morris Bennet's brain.
Philip Marsteller, an insurance agent; Gottlieb Schollkopp, a bakery wason driver, and Edward Sweeney, a laborer, all testified yesterday afternoon that they Thomas Mahler, a constable of Prince Georges county, testified that he found Bennet insensible and bleeding in the

The Ideal Playroom.

of the revenue cutters lying along. Whole Tibetan Canon was printed at Narthang, near Tashi-Lhunpo, the capital we next turned to our all-important color lead and catch the limb with growing age. No conclusion can as lead to allow the lead and catch the limb with lead and to allow the lead and the lead a Capt. Bertholf got into telephone of western Tibet. Other editions were communication with the lighthouse au- afterward printed in other languages, but scheme. For this we had a very definite ordered to "let go." If he drops uncon- the cells of the human body. and that reports to that effect were erroneous.

The revenue cutter service has never had knowledge of two of its cutters at the only cutter in that territory is the Apache, which is reported today to blocks as a present for the Empress of Apache, which is reported today to blocks as a present for the Empress of China. For some cause not sufficiently at Solomons, on the Patauxent river, at Solomons, on the Patauxent river. The Apache is perfectly safe.

Mr. Hitchcock's Correspondence.

Complete copy, and this is regarded as a most surged as a m Postmaster General Hitchcock is often startled with strange requests by a class of people who seem to believe he knows everything and that there are on limits to be added and the control of the difficulty of obtaining another copy of the colossal work is greatly increased not reach the top and back of the colossal work is greatly increased not reach the top and back of the colossal work is greatly increased not reach the top and back of the colossal work is greatly increased not reach the top and back of the colossal work is greatly increased not reach the top and back of the colossal work is greatly increased not reach the top and back again he is considered not yet in proper operation due to cab-stand rentals, etc. are plain with very few pictures, the curcular way up the hill, then falls and rolls within the area covered by the twenty-relieved only by a white-and-lavender of plain surfaces. The walls again he is considered not yet in proper tested does not reach the top and back again he is considered not yet in proper operation due to cab-stand rentals, etc.

Most of the cab riding in Manhattan is tains are made of a plain material and half way up the hill, then falls and rolls within the area covered by the twenty-relieved only by a white-and-lavender down. unlikely that the old blocks will ever be used again. The Tibetan Canon is divided into the following sections, which are themselves extensively subdivided; 1. Discipline (directions as to conduct, etc.) 2 Transcendental wisdom (abstract speculation). 3. Association of Buddhas (the degrees of perfection, etc., of varjous Buddhas). 4, The Jewel Peak (enumeration of the qualities of Sakyamuni). 5.



"BIG DOINGS" for Men on the Bargain Tables at our 7th St. Store tomorrow! 115 pairs Broken Sizes of our

famous \$5 "FLORSHEIM" Shoes

-at the unheard-of price of \$1.95 A PAIR! Remnants of 9-button and Blucher styles. Patent Colt and Tan Russia Calf.

Narrow Toes and Some Wide

These Sizes in the lot:

A WIDTH-6, 614, 7, 814, 10. B WIDTH-5, 51/2, 6, 61/2, 7, 71/2, 8, 81/2, 9, 91/2, 10. C WIDTH-5, 512, 6, 612, 7, 712, 914 and 16.

D WIDTH-5, 6, 61/2, 8, 9, 91/2, 101/2 and 11.

Women's \$3 and \$3.50 Boots, Pumps and Ties On the 7th St. Store Bargain Tables tomorrow—the following Highest Grade \$3 and \$3.50 Shoes—

nothing wrong with styles or qualities-only sizes 120 pairs \$3 and \$3.50 Black Demi-Calf Pumps, Low Button and Blucher Oxfords—4 styles—sizes 21/2 to 6, A to D widths.

Kid Button and Laced Boots-sizes 21/2 to 6, A, B and C widths. 48 pairs \$2 Quality Button and Laced Boots-sizes 3 to 8, D and E widths. (No phone or C. O. D. orders on these.)

150 pairs \$3 and \$3.50 Gun Metal Calf and Vici

Boys' and Girls' \$1.50, \$2 and \$2.50 Shoes. On the Bargain Tables-7th St. Store-Friday only:

48 pairs Big Boys' \$1.50 to \$2.50 Kid and Calf Shoes and Tan Calf High-out Storm Shoes-sizes 3 to 51/2 only. 50 pairs Small Boys' \$1.50 Grade Kid and Calf Shoes-135 pairs Misses' and Big Girls' \$1.50 to \$2.50 Vici Kid and Gun Metal Calf Laced Boots—sizes 11½ to 5.
85 pairs Child's Patent Leather, Vici Kid and other \$1.50

66 Clearing the Track 99 of All Winter Shoes at All Three Stores.

Men's "TRI-WEAR" \$3.50 and \$4 \$2.85 Shoes......

dozen kinds of double sole "TRI-WEAR" Tan Calf. Steel Calf and Velour Calf Button and And 15 other \$3.50-grade styles of Patent Leather, Vici Kid and Gun Metal Calf Shoes.

Best VALUES you ever were

offered at such a moderate figure. Boys' and Girls' \$2 and \$2.50 @ 1 Misses' and Big Girls' \$2 and

some \$2.50 Patent Colt and Gun Metal Calf High Cut STORM BOOTS-and regular height boots-9 good styles.
7 kinds Boys' \$2 grade Box Calf, Gun Metai Calf and Stout

Warm

Leggings,

gaiters and

Child's Jersey

Kid Laced and Button Shoes. ALL SIZES-tomorrow, \$1.48. Men's and Over-

Women's and Children's Warm Felt House Slip-

Sizes 8 to 8.

Spring heels. ent 1 and 3 Strap Slip-



INDIAN TRAINING.

for Their Contests.

The men of the Nez Perce tribe who were set apart by their physical qualifications to train for runners used to commence their training in the latter part of October, at which time they began to take early morning baths in cold mountain streams. These baths were kept up through the whole winter season until Next on the schedule to be followed by those training are the warm baths, taken in a hole in the ground where the water and an electric measuring instrumen is heated by hot stones, mixed with cold baths described above. If the warm bath is not taken the sweat bath is subst!and dirt, a small opening being left in ing about 100 grains of each organ to front for a door, over which blankets are ashes, and placing it into the emanometer hung. Near this door a small round hole is dug and filled with red hot stones. After all the trainers have had a plunge in the cold water they enter this little sweat house and close the door. Then one of the number pours warm water on substance is radioactive. The activity of the red hot stones, causing the steam to the brain is especially high, the hear rise and surround the occupants of the and liver are less active, and the kidney tightly closed room After a while the victims emerge and the lungs again show great activity.

take another plunge into the cold water. Social position, calling, life and the are cold and useless for the manufacture | have very little influence on the radio-After a light dinner, consisting of mere- increases the quantity of radioactive peated; and this is done daily for at least vestigated so far to find what difference three months of the year, sweat baths health or disease make in this connecbeing indulged in in the early morning tion, but it seems that diseased organs and late evening-usually after sunset.

ing a ten in opportunity to a in o it by one's hands. When the night comes for the testing the old buck calls the

The dwelling of Burg Golden, at Flint. Nez Perce war, he chased a black bear It is the short-haul traffic that pays

"Novelty" "Novelty" \$1.87 18 good wearing styles at \$1.87.

Women's "VENUS"

And other \$3 \$2.45 to \$7 Boots..

BOOTS'-New York's smartest

50 styles of our "VENUS" and

"WI-MO-DAU-SIS" \$3 to \$4

Boots-in all the best styles-all

the choicest tan, black and pat-

GOING! GOING!-DON'T DE-

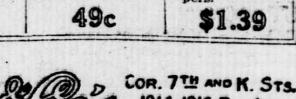
Women's \$2.50 Grade

All our \$7 Parisian

NOVELTY for SPRING.

Tan Calf Button Boots, Patent and Dull Calf Boots, with cloth or kid tops; Vici Kid Button and Laced Boots-any size or shape.

Women's \$2 Grade Victor Vici Kid Boots



HUMAN RADIOACTIVITY. How Nez Perce Runners Prepared A German Professor's Demonstration on Photographic Plates.

From the Elektrotechnischer Anzeiger. The tests of R. Werner and others have proved that ordinary physical bodies have an effect on photographic plates. As it was suspected that this might be due to radioactive action, Dr. Albert Caan of Heldelberg made extensive tests. investigating the radioactivity of the

human organs, by means of the Bercker This instrument gives account of every emanation and radioactive action, ar consists in the main of a shaking tank connected with each other by a rubber instrument is a Wulf wire electrometer amined forty-one different organs, coming from twelve different persons, reduc-In every case he found the presence of a substance, which made the air electrically conductive. Whether this substance is identical with radium canno be said with certainty. But all indica tions point to the conclusion that the and spleen are almost entirely inactive;

ogram is re- matter. Only a few cases have been in have a higher radioactivity. The way in which a young buck's en- As regards the origin of the radioactive durance was tested was like this. An old substance seemingly present this might warrior selects a tree with a limb afford- come from the food and drink or else from the air inspired. Both hypotheses could be harmonized with the phenome non of increasing radioactive substance

activity of the organs. Increasing age

Twenty-Five-Cent Cab Fares. From the New York World.